

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

JOHN EMBRY,

Plaintiff,

Case No. 3:21-cv-233

vs.

SIMON & SIMON, PC, *et al.*

District Judge Michael J. Newman  
Magistrate Judge Peter B. Silvain, Jr.

Defendants.

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**ORDER SETTING A PRELIMINARY PRETRIAL SCHEDULING CONFERENCE**

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Pursuant to Fed. R. of Civ. P. 16, this civil case is set for a preliminary pretrial scheduling conference before Judge Michael J. Newman on **December 2, 2021 at 10:00 A.M.** The trial attorney for each party is required to appear and participate in the preliminary pretrial scheduling conference with the Court. To participate, the attorneys for the parties shall call: 1-888-278-0296, enter access code 2725365, security code 123456, and wait for the Court to join the conference.

Prior to the preliminary pretrial scheduling conference, the parties are **ORDERED** to informally confer in good faith and prepare a report as required by Fed. R. Civ. P. 26(f).<sup>1</sup> The parties' Rule 26(f) report shall be filed with the Court on or before **November 25, 2021**. Unless otherwise agreed to by the parties in their Rule 26(f) Report, initial disclosures must be made as required by Rule 26(a)(1). Rule 26(a)(1) initial disclosures must be served upon all parties in the case and should not be filed with the Court unless filed in support of a motion.

The parties are **ADVISED** that failure to comply with any provision of this Order may result in appropriate sanctions including, but not limited to, dismissal of this action or the entry of a default judgment pursuant Rule 16(f) and Rule 37(b)(2)(A).

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<sup>1</sup> A form Rule 26(f) Report of the Parties (applicable to the Western Division at Dayton) is accessible on the Court's website at <http://www.ohsd.uscourts.gov/ohio-southern-district-forms>.

**IT IS SO ORDERED.**

November 2, 2021

s/Michael J. Newman

Hon. Michael J. Newman  
United States District Judge